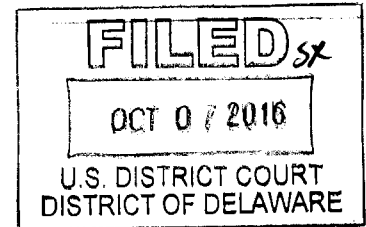


(Del. Rev. 11/14) Pro Se General Complaint Form

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

Enrique Torruella



(In the space above enter the full name(s) of the plaintiff(s).)

16 - 920

-against-

Civ. Action No. _____
(To be assigned by Clerk's
Office)

Department of Justice

Bureau of Prisons

Fort Dix Correctional Institution

COMPLAINT
(Pro Se)

Jury Demand?

☒ Yes

☐ No

(In the space above enter the full name(s) of the defendant(s).
If you cannot fit the names of all of the defendants in the
space provided, please write "see attached" in the space
above and attach an additional sheet of paper with the full list
of names. The names listed in the above caption must be
identical to those contained in Section I. Do not include
addresses here.)

NOTICE

Federal Rule of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

If this is an employment discrimination claim or social security claim, please use a different form.

Plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

(Del. Rev. 11/14) Pro Se General Complaint Form

I. PARTIES IN THIS COMPLAINT**Plaintiff**

List your name, address and telephone number. If you are presently in custody, include your identification number and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff:

Torruella, Enrique SBI# 00723668
 Name (Last, First, MI)
1301 East 12th Street (P.O. BOX 9561)
 Street Address
Wilmington DE 19809
 County, City State Zip Code

Telephone Number

E-mail Address (if available)

Defendant(s)

List all defendants. You should state the full name of the defendants, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant can be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant 1:

FCI, Fort Dix
 Name (Last, First)
5756 Hartford and Pointville Road
 Street Address
Joint Base MDL New Jersey 08640
 County, City State Zip Code

Defendant 2:

Federal Bureau of Prisons
 Name (Last, First)
320 First Street NW
 Street Address
Washington DC 20534
 County, City State Zip Code

(Del. Rev. 11/14) Pro Se General Complaint Form

Defendant(s) Continued

Defendant 3: U. S. Department Of Justice
Name (Last, First)

950 Pennsylvania Ave.
Street Address

Washington DC 20530
County, City State Zip Code

Defendant 4: _____
Name (Last, First)

Street Address

County, City State Zip Code

II. BASIS FOR JURISDICTION

Check the option that best describes the basis for jurisdiction in your case:

- ☒ **U.S. Government Defendant:** United States or a federal official or agency is a defendant.
- ☐ **Diversity of Citizenship:** A matter between individual or corporate citizens of different states and the amount in controversy exceeds \$75,000.
- ☐ **Federal Question:** Claim arises under the Constitution, laws or treaties of the United States.

If you chose "Federal Question", state which of your federal constitutional or federal statutory rights have been violated.

(Del. Rev. 11/14) Pro Se General Complaint Form

III. VENUE

This court can hear cases arising out of the Counties of New Castle, Kent, and Sussex in the State of Delaware.

Under 28 U.S.C § 1391, this is the right court to file your lawsuit if: (1) All defendants live in this state AND at least one of the defendants lives in this district; OR (2) A substantial part of the events you are suing about happened in this district; OR (3) A substantial part of the property that you are suing about is located in this district; OR (4) You are suing the U.S. government or a federal agency or official in their official capacities and you live in this district. Explain why this district court is the proper location to file your lawsuit.

Venue is appropriate in this Court because:

I am suing the U.S. Government (DOJ/BOP) specifically
Fort Dix Federal Correctional Institution and I live in
the district I'm filing in.

IV. STATEMENT OF CLAIM

Place(s) of
occurrence:

Fort Dix Federal Correctional Institution

Date(s) of occurrence: May 15th, 2014

State here briefly the FACTS that support your case. Describe how each defendant was personally involved in the alleged wrongful actions.

FACTS:

What
happened to
you?

On March 2006 I started a cooperation with 2 agents of Federal
Government in Puerto Rico their names are Eddie Vidal and
Julian Morales, they were working for "Task Force" on Penw, P.R.
Both agents made contact with me and I agree to cooperate
with them. The federal prosecutor is this investigation was
Mr. Capo. As part of the agreement they gave me the
warranty safety that I will never in contact with my

(Del. Rev. 11/14) Pro Se General Complaint Form

co-defender and I will protected and relocated in another State of USA. On November 2006 I was arrested by U.S. Marshall and DEA and placed in custody at MOC Guaynabo P.R. I was separated from my co-defender and placed under protection unit. On March 9, 2009 I traveled to Wilmington Delaware as part of a relocation process. On March 7, 2014 I was involved in a new crime in Wilmington Delaware. Due this crime I was arrested by Wilmington Police and later released on bond states. On April 4, 2014 my Federal probation officer (Mr Ramirez) revoked my supervision due violation of it and I was arrested by U.S. Marshall and placed in custody at FDC Philadelphia, PA. Due this case I was sentenced 24 months on April 22, 2014 by Judge Sue L. Robinson. During the hearing sentencing I request to my judge the possibility to go to Fort Dix Low in New Jersey. The judge made this recommendation to B.O.P. I would like to explain and clarify that I never had information or knowledge that my co-defender were in that prison. I believed that everything regarding my separation from my co-defender was written and specified in my file and that my probation officer and B.O.P. was aware regarding this point. On May 6, I was transferred to Fort Dix Low. Upon arriving over there I was placed temporarily in the west side of the prison. In the admission process I notified to the RSD c/o custody officer every details regarding my case (the fact of my previous cooperation and the status of separation from any co-defender). On May 15, 2014 I was moved to east side of Fort Dix (unit 5752) the same day of May 15, 2014 I went to the food service and I was returning to my unit just

Was anyone
else
involved?

(Del. Rev. 11/14) Pro Se General Complaint Form

after lunch when I was assaulted by several inmates and I recognized one of them as my co-defender. I received several injuries on my body and verbal threatening that they are going to kill me. I was checked at medical services of the prison and taken to the Trenton Hospital of N.J. outside the prison where I receive medical care. After to be discharge from the hospital I was brought back to the prison and placed in the "SHU" (Special Housing Unit) during 142 days. During this time my federal inmate benefits were cancelled. The prison officer told me that I was placed in the "SHU" for safety and protection by I received the punishment of "SHU" like others inmate that were there due other problems.

During the investigation of this incident I was visited by my unit manager Mr. R. Whriteaur who told me that according investigation, process they found certainly my co-defender were the inmates that assaulted me, but was on myself responsibility due I request to the judge to be placed in Fort Dix and wasn't written down in my file for us to be separated. Really I did it, but I did not have idea that my co-defender were in the prison. Also is clear and well known that the B.C.P. takes its decision regardless the inmates desire and request and the B.C.P. should have all details about each inmate custody.

Who did
what?

(Del. Rev. 11/14) Pro Se General Complaint Form

V. INJURIES*If you sustained injuries related to the events alleged above, describe them here.*

As a result of a physical assault on May 15, 2014, I received several injuries. The injuries include chronic pain in my neck, back, right shoulder, right elbow, lower back and in my chest. Also to include chronic headaches, and I had to receive stitches to a laceration above my right eye. Consequently my physical capacity for exercise and regular activities have become limited. In addition to the physical aspects frequently I have recurring nightmares about the heinous attack which had taken place in Fort Dix. Ultimately I have post-traumatic stress and anxiety disorder with a permanent feeling of panic.

VI. RELIEF

The relief I want the court to order is:

☒ Money damages in the amount of: \$ 1,000,000.00
☐ Other (explain):

(Del. Rev. 11/14) Pro Se General Complaint Form

VII. CLOSING

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending or modifying existing law; and (3) complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

10/03/16
Dated

Enrique Torruella
Plaintiff's Signature

Torruella, Enrique
Printed Name (Last, First, MI)

P.O. Box 9561 Wilmington DE 19809
Address City State Zip Code

Telephone Number

E-mail Address (if available)

List the same information for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.